

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

NEIL S. ALPER, ) 8:11CV254  
 )  
 Plaintiff, )  
 )  
 v. ) **MEMORANDUM  
 AND ORDER**  
 )  
 GALLUP, INC., )  
 )  
 Defendant. )

This matter is before the court on several discovery-related Motions. (Filing Nos. [22](#), [30](#), [34](#), and [38](#).) Defendant filed its Motion for Summary Judgment (filing no. [28](#)), Brief in Support (filing no. [51](#)), and Index of Evidence (filing no. [50](#)) on February 15, 2012. Plaintiff thereafter filed his 53-page Response (filing no. [57](#)) and 165-page Index of Evidence (filing no. [56](#)). The court has carefully reviewed these documents. Neither party asserts that any of the requested discovery impacts or otherwise affects the pending Motion for Summary Judgment or Response. As such, they are denied as moot.

IT IS THEREFORE ORDERED that: The various discovery-related Motions filed by the parties (filing nos. [22](#), [30](#), [34](#), and [38](#)) are denied without prejudice as moot.

DATED this 8<sup>th</sup> day of March, 2012.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge